

90<sup>th</sup> Legislative Session – 2015

Committee: House State Affairs

Wednesday, March 04, 2015

P - Present  
E - Excused  
A - Absent

Roll Call

P Bartling  
P Bolin  
P Haggar (Don)  
P Hawley  
P Langer  
P Mickelson  
P Munsterman  
P Solum  
P Stevens  
P Verchio  
P Wink  
P Westra, Vice-Chair  
P Gosch, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Brian G. Gosch, Chair.

MOTION: TO APPROVE THE MINUTES OF FRIDAY, FEBRUARY 27, 2015

Moved by: Solum  
Second by: Westra  
Action: Prevailed by voice vote.

SB 191: revise certain provisions regarding capital outlay certificates and lease purchase agreements of school districts and the pledge of state aid to education funds to secure such obligations.

Presented by: Matt Michels, Lt. Governor  
Proponents: Wade Pogany, Associated School Boards of SD

Rob Monson, School Administrators of South Dakota

MOTION: DO PASS SB 191

Moved by: Westra

Second by: Haggar (Don)

Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

Excused: Mickelson

SB 33: extend resident tuition eligibility to the spouses and children of active duty military personnel and of qualifying veterans.

Presented by: Larry Zimmerman, Secretary, Department of Veterans Affairs

Proponents: Royce Loesch, SD American Legion  
Monte Kramer, Board of Regents

MOTION: DO PASS SB 33

Moved by: Solum

Second by: Langer

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

SB 190: clarify health coverage for applied behavior analysis.

Presented by: Representative Scott Munsterman (Handouts: #1)

Proponents: Kim Malsam-Rysdon, Office of the Governor  
Michelle Powers, Brookings, self  
Tracy Stephens, Brandon, self (Handouts: #2)  
Dr. Daisha Seyfer, MD, Sioux Falls, self  
Crystal Reuter, Sioux Falls, self  
Brett Huber, Hoven, self  
Kitty Kinsman, LifeScape  
Drew Duncan, Dakotacare  
Amanda Weber, Hoven, self  
Teresa Duncan, Pierre, self

Lorin Pankratz, Sanford Health  
Darla Pollman Rogers, Wellmark Blue Cross And Blue Shield  
Darla Pollman Rogers, America'S Health Insurance Plans  
Randy Moses, Avera Health Plans  
Lisa Stanley, Parents For Autism Insurance Reform In SD (Handouts: #3)

MOTION: AMEND SB 190

190cb

On page 1, line 14, of the Senate State Affairs Committee engrossed bill, after "interventions" insert ", including applied behavior analysis,".

On page 2, line 2, after the first "provided" insert "or supervised".

On page 3, line 10, delete everything after "requirements" .

On page 3, line 11, delete everything before "for" .

On page 3, line 15, delete "\$36,000" and insert "\$50,000".

On page 3, line 20, delete "; or" and insert "and be performing services that are commensurate with the licensee's scope of practice;".

On page 3, line 22, after "analyst" insert "; or

- (3) Be certified or registered by the National Behavior Analyst Certification Board with the designation of board certified assistant behavior analyst or registered behavior technician and work under the supervision of a person who meets the requirements in subdivision (1) or (2)"

On page 3, delete line 23.

On page 4, between lines 9 and 10, insert:

" Section 8. Nothing in this Act may be construed to affect any obligation to provide services to a person under an individualized family service plan, an individualized education program, or an individualized service plan."

Moved by: Munsterman  
Second by: Bartling

Action: Prevailed by voice vote.

MOTION: DO PASS SB 190 AS AMENDED

Moved by: Munsterman

Second by: Bartling

Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

Excused: Mickelson

SB 137: revise certain provisions regarding the term of the Executive Board of the Legislative Research Council.

Presented by: Representative Dean Wink  
Jason Hancock, Director Legislative Research Council

MOTION: DO PASS SB 137

Moved by: Wink

Second by: Westra

Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

Excused: Mickelson

MOTION: PLACE SB 137 ON CONSENT CALENDAR

Moved by: Langer

Second by: Westra

Action: Prevailed by voice vote.

SB 70: require that the mandatory reporter who witnessed the disclosure or evidence of child abuse or neglect be available to answer questions when the initial report is made.

Presented by: Senator Deb Sohlt  
Proponents: Casey Murschel, Child Advocacy Center of SD  
Jolene Loefscher, Self

Cam Corey, Division of Criminal Investigation (Handouts: #5)  
Hollie Strand, Self  
Deb Fischer-Clemens, Avera Health  
Mark Mickelsen, South Dakota Education Association  
Jenae Hansen, National Association of Social Workers-South Dakota  
Brittany Novotny, South Dakota Nurses Association  
Virgena Wieseler, Department of Social Services  
Dale Bartscher, Family Heritage Alliance  
Matt Krogman, SD Voices for Children Against Family Violence  
Nick Kotzea, Sanford Health  
Representative Peggy Gibson

**MOTION:** DO PASS SB 70

Moved by: Bartling  
Second by: Westra  
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

Excused: Mickelson

SB 71: continue the Jolene's Law Task Force for an additional year, revise the membership of the task force, and to declare an emergency.

Presented by: Senator Deb Soholt  
Proponents: Casey Murschel, Child Advocacy Center of SD  
Jolene Loefscher, Self  
Deb Fischer-Clemens, Avera Health  
Jenae Hansen, National Association of Social Workers-South Dakota  
Virgena Wieseler, Department of Social Services  
Dale Bartscher, Family Heritage Alliance  
Matt Krogman, SD Voices for Children Against Family Violence  
Nick Kotzea, Sanford Health  
Representative Peggy Gibson  
Dr. Melody Schopp, Secretary Department of Education

**MOTION:** DEFER SB 71 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Solum  
Second by: Haggar (Don)

Action: Prevailed by roll call vote. (10-2-1-0)

Voting Yes: Bolin, Haggar (Don), Langer, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

Voting No: Bartling, Hawley

Excused: Mickelson

MOTION: ADJOURN

Moved by: Solum

Second by: Langer

Action: Prevailed by voice vote.

Glenda Woodburn  
Committee Secretary

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Brian G. Gosch, Chair